

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 17 of 2007()

CRIME NO.1025/05 OF CHANGANASSERY POLICE STATION.

PETITIONERS/ACCUSED:

1. PRAKASH K.GEORGE, AGED 41,
S/O. LATE KURIAN GEORGE, INCHATHANUM,
KUMBAZHA P.O., PATHANAMTHITTA.
2. SANTHOSH C.K., AGED 24,
S/O. C.N.KUTTAPPAN, CHATTUVAKULATH,
KADAYANICKADU P.O., KANGAZHA, KOTTAYAM.
3. TOM JOSEPH, S/O. P.T.JOSEPH,
POOPPALLY VEEDU, CCSB ROAD, IRUMBUPALAM P.O.,
ALAPPUZHA.
4. K.N. SIVAPRASAD, AGED 53,
S/O.LATE K.K.NEELAKANDAN, PRASAD BHAVAN,
PUNNACKATTU P.O., KOZHENCHERRY, PATHANAMTHITTA.
5. THULASEEDHARAN K.S., AGED 29,
S/O. SANKUNNI, LAKSHAM VEEDU COLONY,
REDIO JUNCTION, VETTOOR P.O., PATHANAMTHITTA.
6. SUMA VIJAYAN, AGED 37,
W/O. K.R.VIJAYAN, THAMBURU BHAVAN, PANNIYALI,
OMALLOOR P.O., PATHANAMTHITTA.
7. VIJAYAN K.R., AGED 43,
S/O.K.G.RAGHAVAN, KAITHAPURATHU VEEDU, PANNIYALI,
OMALLOOR P.O., PATHANAMTHITTA.
8. REKHA M.R., AGED 27,
D/O. LATE M.N.RAMAKRISHNAN PILLAI, MANAYATHAPALLY,
VAZHAPALLY WEST P.O., CHANGANASSERY.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: STATE:

STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO.17 OF 2007

DATED THIS THE 8th DAY OF JANUARY, 2007

ORDER

In this Petition filed under Sec.438 Cr.P.C. the petitioners who are the accused in Crime No.1025/05 of Changanassery Police Station, for offences punishable under sections 63 and 68A of the Copy Right Act, 1957, seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioners have been indulging in large scale piracy which will adversely affect the industry.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn